GOVERNMENT OF INDIA
COMMERCE AND INDUSTRY
LOK SABHA

UNSTARRED QUESTION NO:660
ANSWERED ON:21.02.2003
MENACE OF COUNTERFEITING
CHARAN DAS MAHANT;SHYAMA SINGH

Will the Minister of COMMERCE AND INDUSTRY be pleased to state:

(a) whether various sectors of industry have demanded high priority to issues of intellectual property rights in view of increase in the menace of counterfeiting;

(b) if so, whether a Conference on `Combating Counterfeiting: Strategy and Practice` was held at New Delhi recently;

(c) if so, the details of discussions held and outcome thereof; and

(d) the steps taken by the Government to check such menace of counterfeiting?

Answer

THE MINISTER OF STATE IN THE MINISTRY OF COMMERCE AND INDUSTRY(SHRI CH. VIDYASAGAR RAO)

(a) & (b) In a Conference on `Combating Counterfeiting`; organized at New Delhi from21-22 January, 2003 by the Confederation of Indian Industry (CII) in collaboration with the International Anti Counterfeiting Coalition (IACC), USA, various sectors of industr expressed concern over the menace of counterfeiting and its impact on the economy.

(c) The Conference highlighted issues involved in tackling counterfeiting both at policy and enforcement levels and stressed the need to take up sector-specific issues, strengthen enforcement, upgrade technologies for preventing counterfeiting, chalk out strategies for industry for a synergistic approach to deal with counterfeiting and take voluntary action both at industry and Government levels. After deliberations, the Conference made recommendations:-

for a synergistic approach to fight the menace and devise a mechanism for sharing of responsibilities by industry and Government;

- for organizing training modules to create awareness at all levels for target groups, namely consumers, industry, police, customs, judiciary and all other stakeholders;

- to seek and promote international cooperation with anti-counterfeiting bodies like the International Anti Counterfeiting Coalition, Business Software Alliance, World Customs Organization, Global Anti Counterfeiting Group, International Trademark Association, Counterfeiting Intelligence Bureau, the Anti-Counterfeiting Group etc.;

- for efficient and effective enforcement through establishment of Intellectual Property (IP) courts, better trained IP police force and cohesive public awareness;

- for smooth coordination between industry and enforcement agencies;

- for formation of multi-functional teams in industry with representatives from all interested groups including legal, corporate security, public affairs/consumer relations, sales and marketing, governments and packaging developers.

(d) With a view to check the menace of counterfeiting, the Government has taken effective steps for modernizing and amending various legislations related to IPRs. In that direction, the Copyrights Act has been amended and new Trade Marks and Design laws have been enacted to provide effective protection to the industry and the consumers. Penal provisions under the to-be-operationalised Trade Marks Act, 1999 have been enhanced to provide for effective deterrence. Certain offences have been made cognizable and the period of imprisonment further enhanced. In order to generate awareness among the public, users, enforcement agencies and the technical institutes, various programmes have been organized in different states about the effects of counterfeiting and its impact on the national economy.